
HOUSE BILL No. 1022

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2-127; IC 9-19.

Synopsis: Motor vehicle occupant restraint systems. Prohibits stopping, inspecting, or detaining a passenger motor vehicle solely to determine compliance with the law concerning safety belt use by front seat occupants who are at least 16 years of age. Authorizes a police officer to stop, inspect, or detain a motor vehicle solely to determine compliance with the law concerning the use of child passenger restraint systems when the police officer has probable cause to believe that an infraction is being committed under that law. Repeals: (1) provisions specifying that the failure to comply with the laws concerning safety belt and child passenger restraint system use does not constitute fault or contributory negligence; and (2) a prohibition against the admission of evidence of the failure to comply with the law concerning safety belt use in civil actions to mitigate damages. Repeals conflicting laws concerning stopping, inspecting, or detaining vehicles to determine compliance with safety belt laws.

Effective: July 1, 2007.

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January 8, 2007, read first time and referred to Committee on Courts and Criminal Code.

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Introduced

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1022

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-13-2-127, AS AMENDED BY P.L.94-2006,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2007]: Sec. 127. (a) "Police officer" means, except as
4 provided in subsection (b), the following:

- 5 (1) A regular member of the state police department.
- 6 (2) A regular member of a city or town police department.
- 7 (3) A town marshal or town marshal deputy.
- 8 (4) A regular member of a county sheriff's department.
- 9 (5) A conservation officer of the department of natural resources.
- 10 (6) An individual assigned as a motor carrier inspector under
- 11 IC 10-11-2-26(a).
- 12 (7) An excise police officer of the alcohol and tobacco
- 13 commission.

14 (b) "Police officer", for purposes of **IC 9-19-11-3.9 and IC 9-21**,
15 means an officer authorized to direct or regulate traffic or to make
16 arrests for violations of traffic regulations.

17 SECTION 2. IC 9-19-10-3.1 IS ADDED TO THE INDIANA CODE

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1 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
2 1, 2007]: **Sec. 3.1. A vehicle may not be stopped, inspected, or**
3 **detained solely to determine compliance with this chapter.**
4 SECTION 3. IC 9-19-11-3.9 IS ADDED TO THE INDIANA CODE
5 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
6 1, 2007]: **Sec. 3.9. If a police officer has probable cause to believe**
7 **that the operation of a motor vehicle constitutes an infraction**
8 **under this chapter, the police officer may stop, inspect, or detain**
9 **the motor vehicle solely to determine compliance with this chapter.**
10 SECTION 4. THE FOLLOWING ARE REPEALED [EFFECTIVE
11 JULY 1, 2007]: IC 9-19-10-3; IC 9-19-10-7; IC 9-19-11-8.

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